

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Trevor Hackett	Team: Squad #8	CCRB Case #: 202102455	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 02/05/2021 9:54 PM	Location of Incident: § 87(2)(b)	Precinct: 105	18 Mo. SOL 8/5/2022	EO SOL 8/5/2022	
Date/Time CV Reported Thu, 03/25/2021 1:48 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 04/20/2021 11:17 AM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. Officers			
2. An officer			
3. DT3 Carlos Segovia	01915	937513	NARCBQS

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. DT3 Daniel Sjoberg	06444	942557	NARCBQS
2. DT3 Charlie Harvell	02017	950568	NARCBQS
3. DT3 Joseph Villalta	01959	943929	NARCBQS
4. DT3 Michael Yu	6557	947625	NARCBQS
5. DT3 Ryan Pretty	01466	944908	NARCBQS
6. SGT Matthew Lewis	04736	941054	NARCBQS
7. DT3 Michael Vila	02246	949771	NARCBQS
8. DT3 Christophe Alikhan	03045	949988	NARCBQS
9. DT3 Alexander Taveras	04809	947952	NARCBQS
10. DT3 Corey Fisher	02168	954811	NARCBQS
11. DT3 Brandon Agosto	01084	952386	NARCBQS
12. SGT Ehtasham Khan	02329	945878	NARCBQS
13. DT3 Jeremy Brandenburg	02321	945523	NARCBQS
14. DT3 Junior Celestin	02014	941524	NARCBQS
15. DT3 Paul Chierico	03418	936344	GVSD Z1
16. POM Jhoan Lozano	04388	964624	GVSD Z1
17. LCD Nicholas Vandyke	00000	927819	NARCBQS

Officer(s)	Allegation	Investigator Recommendation
A.DT3 Carlos Segovia	Abuse: Detective Carlos Segovia entered § 87(2)(b) in Queens.	

Officer(s)	Allegation	Investigator Recommendation
B.DT3 Carlos Segovia	Abuse: Detective Carlos Segovia searched § 87(2)(b) in Queens.	
C. Officers	Abuse: Officers entered § 87(2)(b) in Queens.	
D. Officers	Abuse: Officers searched § 87(2)(b) in Queens.	
E. An officer	Force: An officer pointed his gun at § 87(2)(b)	
F. Officers	Discourtesy: Officers spoke discourteously to § 87(2)(b)	
G. Officers	Discourtesy: Officers spoke discourteously to § 87(2)(b)	
H. Officers	Discourtesy: Officers spoke discourteously to § 87(2)(b)	
I. An officer	Off. Language: An officer made remarks to individuals based upon race.	

### Case Summary

On March 25, 2021, § 87(2)(b) called IAB and filed this complaint. The complaint was received by the CCRB on April 20, 2021.

On February 5, 2021, at 9:54 PM, § 87(2)(b) was at her home, located at § 87(2)(b) in Queens, with her son, § 87(2)(b) his girlfriend, “§ 87(2)(b) and his friend, § 87(2)(b) when Detective Carlos Segovia and additional officers from Queens South Narcotics entered and searched her house (**Allegations A, B, C, and D – Abuse of Authority,** § 87(2)(g) Upon entering the house, officers had their guns drawn and an officer allegedly pointed his gun at § 87(2)(b) (**Allegation E – Force,** § 87(2)(g) Officers allegedly used profanity towards § 87(2)(b) and the other individuals while conducting their search (**Allegations F, G, and H – Discourtesy,** § 87(2)(g) § 87(2)(b) later reviewed ring camera footage of the entrance to her apartment and allegedly heard an officer refer to her family members as “mutts” (**Allegation I – Offensive Language,** § 87(2)(g) § 87(2)(b) and § 87(2)(b) were arrested as a result of the incident and were each charged with § 87(2)(b) (Board Review 01, 06).

A request for Body Worn Camera footage yielded negative results. § 87(2)(b) did not provide the CCRB with the security footage in her possession. As such, there is no video footage in this case.

§ 87(2)(g)

### Findings and Recommendations

**Allegation A – Detective Carlos Segovia entered § 87(2)(b) in Queens.**

**Allegation B – Detective Carlos Segovia searched § 87(2)(b) in Queens.**

**Allegation C – Officers entered § 87(2)(b) in Queens.**

**Allegation D – Officers searched § 87(2)(b) in Queens.**

**Allegation E – Force: An officer pointed his gun at § 87(2)(b)**

**Allegation F – Officers spoke discourteously to § 87(2)(b)**

**Allegation G – Officers spoke discourteously to § 87(2)(b)**

**Allegation H – Officers spoke discourteously to § 87(2)(b)**

§ 87(2)(b) stated that on February 5, 2021, at 9:54 PM, § 87(2)(b) was at her home, located at § 87(2)(b) in Queens, with her son, § 87(2)(b) his girlfriend, “§ 87(2)(b) and his friend, § 87(2)(b) § 87(2)(b) was in her room on the second floor of the house when she saw approximately 15-18 officers running towards her house. § 87(2)(b) went to the top of the stairwell and saw her front door fly open and officers enter her home. § 87(2)(b) later reviewed ring doorbell footage of the entry and stated that officers used a “battering ram” to enter the home, subsequently ripping the lock off the front door. Several officers went upstairs and searched the rooms on the second floor as well as the attic. Officers had their guns drawn and one of the officers briefly pointed his gun at § 87(2)(b) § 87(2)(b) described the officer as a white man, who was “all geared up” and wearing a helmet. § 87(2)(b) could not provide any further descriptive details about the officer. § 87(2)(b) believed they were only searching for a person as officers did not open any drawers in any of the rooms. At one point, officers were trying to locate a light switch in one of the rooms, and when § 87(2)(b) went to turn on the lights, an officer said to her, “Don’t touch the fucking lights.” Officers then brought § 87(2)(b) downstairs to the living room and told her, § 87(2)(b) § 87(2)(b) to “get the fuck on the ground.” § 87(2)(b) then told the officers that what they were looking for was in his bedroom, which officers then searched. § 87(2)(b) later heard officers say they recovered two firearms and ammunition in § 87(2)(b) (b) room. The officers arrested § 87(2)(b) and left the house. § 87(2)(b) stated that after the

officers left, she noticed that there was a hole in her son § 87(2)(b) air mattress. She did not witness the officers damage the mattress while they were in the house. **(Board Review 02).**

§ 87(2)(b) who was not present for the incident, later returned to his room and stated that officers had popped his air mattress **(Board Review 03).**

§ 87(2)(b) was uncooperative with the investigation and was not interviewed. § 87(2)(b) was unavailable to the investigation and was not interviewed (See IAs for contact attempts).

Police documentation confirmed that a valid search warrant, Queens County search warrant § 87(2)(b) was issued by the honorable Queens County Judge § 87(2)(b), on § 87(2)(b), authorizing Det. Carlos Segovia, or any police officer to execute a no-knock entry and search of § 87(2)(b) in Queens, in order to seize firearms, records of firearms transactions, records of ownership or use of firearms and United States currency used to purchase firearms and ammunition and/or the proceeds from the sales of firearms **(Board Review 07).** § 87(2)(g)

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Criminal Procedural Law (CPL) §690.50 expressly authorizes entry without notice, an officer may forcibly enter such premises and may use against any person resisting such entry or search thereof as much physical force, other than deadly physical force, as is necessary to execute the warrant, and seize any property pursuant to the search warrant **(Board Review 05).**

An officer's decision to display or draw a firearm should be based on an articulable belief that the potential for serious physical injury is present. When a uniformed member of the service determines that the potential for serious physical injury is no longer present, the uniformed member of the service will holster the firearm as soon as it is practical, NYPD Patrol Guide 221-01 **(Board Review 14).**

An officer's use of an impolite word during a stressful street encounter where that officer is attempting to gain control of the situation does not constitute misconduct (DAO-DCT Case #201818951) **(Board Review 04).**

§ 87(2)(g)

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**Allegation I - Offensive Language: An officer made remarks to individuals based on race.**

§ 87(2)(b) stated that several other family members had arrived at the location and were standing outside the house while officers were inside. After the incident, § 87(2)(b) reviewed surveillance footage captured on her Ring doorbell camera. § 87(2)(b) stated that the footage captured an officer standing at the front steps in front of the house, who stated, “We saw the mutts on the corner” or “they loaded up all the mutts on the corner” or something to this effect. § 87(2)(b) believed the officer was referring to her family members who were waiting outside. § 87(2)(b) could not remember what else was said but remembered this officer calling § 87(2)(b) and her family “mutts” **(Board Review 02)**

§ 87(2)(g)

Although § 87(2)(b) agreed to send the footage to the CCRB, she failed to do so despite follow up contact attempts requesting that she do so.

§ 87(2)(b) described the officer as a white male, in his mid to late thirties, approximately 5’9” tall, “plump” build, with a “full head of hair.” § 87(2)(b) could not provide any further details and described the video footage as “grainy.” According to the Pre-Tactical form obtained by the NYPD, 21 officers were involved in the entry/search of § 87(2)(b)s home. Of these 21 officers, nine were white men and another five were Hispanic men. § 87(2)(g)

**Civilian and Officer CCRB Histories**

- § 87(2)(b) has been a party to four additional CCRB complaints and named as a victim in one additional allegation, § 87(2)(b)
- § 87(2)(b) has been a party to one additional CCRB complaint and named as a victim in one additional allegation, § 87(2)(b)
- Det. Segovia has been a member of service for 17 years and has been named as a subject in 9 additional CCRB complaints and 20 additional allegations, none of which have been substantiated.

**Mediation, Civil, and Criminal Histories**

- This complaint was not suitable for mediation.
- As of November 5, 2021, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards to this incident **(Board Review 08)**.

- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad: 8

Investigator:	<u>Trevor Hackett</u>	<u>Inv. Trevor Hackett</u>	<u>06/15/2022</u>
	Signature	Print Title & Name	Date

Squad Leader:	<u>Ethan De Angelo</u>	<u>IM Ethan De Angelo</u>	<u>6/16/2022</u>
	Signature	Print Title & Name	Date

Reviewer:	<u></u>	<u></u>	<u></u>
	Signature	Print Title & Name	Date